

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Public Works	(2) MEETING DATE 7/26/2016	(3) CONTACT/PHONE Phil Acosta, Right of Way Agent (805) 781-5290	
(4) SUBJECT Submittal of Pipeline Crossing Agreement from Union Pacific Railroad Company (UPRR) for the Oceano Drainage Improvement Project, Oceano. District 4.			
(5) RECOMMENDED ACTION It is recommended that the Board: <ol style="list-style-type: none"> 1. Approve and execute two originals of the Pipeline Crossing Agreement; and direct the Clerk to return both executed Agreements to Public Works for completion of the transaction with UPRR; and 2. Authorize the Public Works Director, or his designee, to execute any remaining escrow and payment related documents or instructions necessary to close the transaction associated with this Agreement and record the fully executed document. 			
(6) FUNDING SOURCE(S) Regional State Highway Account, Urban State Highway Account, Caltrans FY 2015-16 Minor Projects Program, Community Development Block Grant, Federal Aviation Administration Airport Improvement Program, Services to Special Districts and Road Fund	(7) CURRENT YEAR FINANCIAL IMPACT \$13,200.00	(8) ANNUAL FINANCIAL IMPACT \$0.00	(9) BUDGETED? Yes
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. ____) <input type="checkbox"/> Board Business (Time Est. ____)			
(11) EXECUTED DOCUMENTS <input type="checkbox"/> Resolutions <input checked="" type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: N/A <input type="checkbox"/> 4/5 Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP Attached	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input checked="" type="checkbox"/> N/A Date: _____	
(17) ADMINISTRATIVE OFFICE REVIEW David E. Grim			
(18) SUPERVISOR DISTRICT(S) District 4			

Reference: 16JUL26-C-6

County of San Luis Obispo



TO: Board of Supervisors

FROM: Public Works

Phil Acosta, Right of Way Agent

VIA: Dave Flynn, Deputy Director of Public Works

DATE: 7/26/2016

SUBJECT: Submittal of Pipeline Crossing Agreement from Union Pacific Railroad Company (UPRR) for the Oceano Drainage Improvement Project, Oceano. District 4.

RECOMMENDATION

It is recommended that the Board:

1. Approve and execute two originals of the Pipeline Crossing Agreement; and direct the Clerk to return both executed Agreements to Public Works for completion of the transaction with UPRR; and
2. Authorize the Public Works Director, or his designee, to execute any remaining escrow and payment related documents or instructions necessary to close the transaction associated with this Agreement and record the fully executed document.

DISCUSSION

Highway 1 at the intersection of 13th Street in Oceano has routinely flooded during storm events creating a variety of impacts on residents, property owners and the travelling public. Public Works is leading the effort to implement a project to alleviate this chronic flooding situation. The project will install a storm drain pipe along Highway 1, and under the Union Pacific Railroad to proceed south on Dolphin Avenue to a sedimentation pond for discharge into Arroyo Grande Creek.

Additional information regarding the Project is located in the Negative Declaration (ED-11-173) and Development Plan/Coastal Development Permit DRC2012-00044 approved on March 14, 2013 by the County Planning Commission and affirmed by Board of Supervisors Resolution No. 2013-136 dated June 4, 2013. The current phase of the project includes completion of design and acquisition of the necessary right of way to construct.

The attached Pipeline Crossing Agreement from Union Pacific Railroad will provide the County with the first of the two remaining institutional rights necessary to construct this critical drainage facility. The Agreement provides the necessary rights to "bore and jack" the required drain facilities beneath the existing railroad line. The approval and execution of the Pipeline Crossing Agreement will allow the Department to proceed with payment pursuant to the Agreement.

Additional institutional rights are under continued negotiations with the Federal Aviation Administration (FAA) related to County Oceano Airport (#L52). The FAA clearance is targeted for completion in August 2016. Three private real property easements required for the project have previously been acquired and approved by your Board.

The project is anticipated to proceed into construction in the summer of 2017.

OTHER AGENCY INVOLVEMENT/IMPACT

County Counsel has reviewed and approved the attached Agreement as to legal form and effect. The County Environmental Coordinator has provided necessary clearance for this project.

The County Public Works Department is coordinating with the US Department of Housing and Urban Development, the California Department of Transportation, and San Luis Obispo Council of Governments who are planning to fund a new storm drain system to enhance existing drainage facilities in the southerly portion of the Oceano community lying adjacent to the east portion of the Oceano County Airport. Work is contingent on FAA approval of affected County owned, FAA controlled, areas related to the Oceano Airport.

The Oceano Community Services District and Caltrans are working cooperatively with the County on this project on specific utility impacts and design coordination.

FINANCIAL CONSIDERATIONS

The Pipeline Crossing Agreement provides for the following compensation:

Union Pacific Railroad Co.	<u>\$ 13,200</u>
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This is a multi-year project budgeted in the Road Fund – WBS 300465 in the amount of \$2,130,289. Funding for this project will come from Regional State Highway Account (RSHA), Urban State Highway Account (USHA), Caltrans FY 2015-16 Minor Projects Program, Community Development Block Grant (CDBG), Federal Aviation Administration Airport Improvement Program (FAA-AIP), Services to Special Districts and the Road Fund.

No budget adjustment is necessary at this time.

RESULTS

Approval of the recommended action will result in the appropriation of the first of two remaining institutional requisitions necessary for this critical drainage project. Completion of the project will improve storm drainage facilities resulting in a safe and livable community.

ATTACHMENTS

1. Vicinity Map
2. Pipeline Crossing Agreement

File: WBS 300465 Oceano Drainage Improvement Project

Reference: 16JUL26-C-6

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